

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RACINE CAR DEALER, LLC,

Plaintiff,

ORDER

v.

22-cv-322-wmc

HYUNDAI MOTOR AMERICA,

Defendant.

Before the court is defendant's motion for rulings on plaintiff's objections to the deposition designations for Aaron Zeigler. After reviewing the defendant's designations, plaintiff's objections and counter-designations, and defendant's objections, the court issues the following rulings:

Defendant's Initial Designations	Plaintiff's Objection	Plaintiff's Counter-Designations	Defendant's Objections to Counter-Designations	Rulings
7:1-13	Relevance	None		Sustain
7:24-8:12	Relevance	None		Sustain
8:23-25	Relevance	None		Overrule, except delete first three words -- "Okay," "Great," and "And"
9:12-12:4	No objection to 9:12-10:17. Objection to all the rest of the designation for Relevance.	9:12-10:17		Overrule

Defendant's Initial Designations	Plaintiff's Objection	Plaintiff's Counter-Designations	Defendant's Objections to Counter-Designations	Rulings
12:14-13:20	Relevance	12:5-17		Overrule, except Sustain as to 13:10-20
18:7-22:22	Object to 18:7-19:10 for Relevance.	None		Overrule
23:5-24:12	Object to 23:18-24:12 for Relevance	None		Overrule, except delete lines 20:12, 22:14, 22:16, and 24:11
24:20-26:18	None	None		Delete line 24:25
28:16-36:14	Object to 33:10-34:14 – a document used to refresh recollection should not be read into the record. Object to 34:15-35:8 for relevance. Object to 36:12-14 for relevance.	None		Sustain as to 33:14 – 34:10 and otherwise Overrule. Also, Dep. Ex. 6 should <i>NOT</i> be displayed to jury.
37:1-9	None	Should include 37:18-20	Objection – not testimony	Overrule, since correcting error in earlier question.
38:2-17	Relevance. GMA no longer a party in the lawsuit.	None		Overrule
38:20-42:1	Object to 41:23-42:1. This is directly contradicted by 69:11-71:19 where Zeigler admits Dan Scheid negotiated with Jim Bozich	69:11-70 if admitted.		Sustain as to first phase of trial; both defendant's designations and plaintiff's counter-designations may be offered

Defendant's Initial Designations	Plaintiff's Objection	Plaintiff's Counter-Designations	Defendant's Objections to Counter-Designations	Rulings
				in second phase of trial.
		43:21-46:21	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		47:15-18	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		48:17-49:9	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		52:8-54:7	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		55:22-56:13	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		56:24-57:24	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		58:19-59:6	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule

Defendant's Initial Designations	Plaintiff's Objection	Plaintiff's Counter-Designations	Defendant's Objections to Counter-Designations	Rulings
		60:9-22	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		61:2-62:2	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule, except delete lines 61:11-12
		63:14-19	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		63:22-64:4	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		65:4-20	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule, except delete lines 65:18-19
		66:8-67:7	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		67:20-68:10	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		68:22-70:7	Objection – not proper counter-designation	Overrule

Defendant's Initial Designations	Plaintiff's Objection	Plaintiff's Counter-Designations	Defendant's Objections to Counter-Designations	Rulings
			because not responsive to any initially designated testimony	
		70:25-71:22	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		72:8-15	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		73:8-74:6	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule
		75:9-76:6	Objection – not proper counter-designation because not responsive to any initially designated testimony	Overrule

Entered this 12th day of January, 2024.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge